

SCOTTSDALE

CITY COUNCIL MEETING

AGENDA



COUNCIL

Mary Manross, Mayor

Wayne Ecton

Robert W. Littlefield

Cynthia Lukas

Ned O'Hearn

David Ortega

Tom Silverman

Monday, June 16, 2003

MARKED AGENDA

5:00 P.M.

CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:10 P.M.**

Roll Call – **ALL PRESENT**

Pledge of Allegiance – **COUNCILMAN SILVERMAN**

Invocation – **REVEREND STEVE JOHNSON, PASTOR OF MOSAIC BIBLE CHURCH IN SCOTTSDALE**

Public Comment – **LOREN LANGSLET – URGED COUNCIL TO PLACE THE ISSUE OF A DISTRICT SYSTEM ON THE BALLOT; BARBARA CAWTHORNE – STATED HER DESIRE TO SEE SOMETHING BUILT ON THE LOS ARCOS SITE THAT WOULD DRAW PEOPLE REGIONALLY. SHE STRESSED THAT COUNCIL COULD NEGOTIATE FOR A BETTER PROJECT BY USING THE SUBSIDY AS A NEGOTIATING TOOL.; MARTI MUELLER – EXPRESSED HER BELIEF THAT THE AREA NEEDS SHOPPING AT LOS ARCOS; SHARON OBERRITTER– EXPRESSED CONCERN OVER GIVING THE ELLMAN COMPANIES A SUBSIDY TO BUILD THEIR PROJECT. SHE ALSO EXPRESSED DISAPPOINTMENT IN COUNCIL’S REACTION TO THE DISTRICT TASK FORCE’S REPORT.; PAUL REICH - URGED COUNCIL TO THINK OUTSIDE THE BOX AND PLACE SOMETHING ON THE LOS ARCOS PROPERTY THAT WOULD ATTRACT PEOPLE REGIONALLY.**

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening’s meeting. Please check the box that refers to “public comment.” This “Public Comment” time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

1. Land acquisition for the McDowell Sonoran Preserve – OK - C

Request: Adopt Resolution No. 6317 authorizing purchase in the amount of \$195,300 (\$39,000/acre) for the 5.007-acre Parcel No. 216-59-004D, located at 30545 N. 128th Street, for the McDowell Sonoran Preserve.

Related Policies, References: The parcel is within the expanded Recommended Study Boundary approved in August 1998, by City Council and in November 1998, by voters. The acquisition of this land supports City Council Broad Goal B: Preserve the Character and Environment of Scottsdale, and two sub-goals under Goal B: Complete the acquisition of lands within the adopted Preserve boundaries; and Protect natural resources, open spaces and views.

Staff Contact(s): Robert J. Cafarella, AICP, Director, Preservation Division, 480-312-2577, rcafarella@scottsdaleaz.gov

2. Land acquisition for the McDowell Sonoran Preserve – OK - C

Request: Adopt Resolution No. 6318 authorizing purchase in the amount of \$190,100 (\$38,000/acre) for the 5.001-acre Parcel No. 216-59-005J, located at 30120 N. 130th Street, for the McDowell Sonoran Preserve.

Related Policies, References: The parcel is within the expanded Recommended Study Boundary approved in August 1998, by City Council and in November 1998, by voters. The acquisition of this land supports City Council Broad Goal B: Preserve the Character and Environment of Scottsdale, and two sub-goals under Goal B: Complete the acquisition of lands within the adopted Preserve boundaries; and Protect natural resources, open spaces and views.

Staff Contact(s): Robert J. Cafarella, AICP, Director, Preservation Division, 480-312-2577, rcafarella@scottsdaleaz.gov

3. Land acquisition for the McDowell Sonoran Preserve – OK - C

Request: Adopt Resolution No. 6306 authorizing the acquisition of real property from multiple owners north of Dixileta Drive, south of Wildcat Drive, east of 128th Street and west of 132nd Street, for the McDowell Sonoran Preserve. The property consists of two (2) parcels totaling +/- 15.6 acres. These are the remaining unresolved parcels in this geographic area where staff has not been able to reach agreements with the owners on acquisition. Approval of Resolution 6306 will permit the city to initiate condemnation proceedings as a last resort.

Related Policies, References: This property is within the expanded Recommended Study Boundary approved in August 1998, by City Council and in November 1998, by voters. The acquisition of this land supports City Council Broad Goal B: Preserve the Character and Environment of Scottsdale, and two sub-goals under Goal B: Complete the acquisition of lands within the adopted Preserve boundaries; and Protect natural resources, open spaces and views.

Staff Contact(s): Robert J. Cafarella, AICP, Director, Preservation Division, 480-312-2577, rcafarella@scottsdaleaz.gov

4. Intergovernmental Agreement with Scottsdale Unified School District. – OK - C

Request: Adopt Resolution No. 6266, which approves IGA No. 2003-030-COS with the Scottsdale Unified School District. This funding provides drug and alcohol education and prevention services in all Scottsdale schools. This funding allows the School District to purchase services from the Scottsdale Prevention Institute (SPI) and includes services such as classroom presentations and teacher support on issues related to substance abuse. Other services provided include Peer Mediation, Violence Prevention strategies, and assessment of family issues that may require further intervention.

Related Policies, References: IGA No. 2003-039-COS

Staff Contact(s): Vicki French, Human Services Manager, (480) 312-7922, vfrench@scottsdaleaz.gov

5. Modify Field Allocation Fee Waiver and Partnership Funding Policy and implement recommendations of the Council-initiated Youth Sports Task Force – OK - C

Request: Adopt Resolution No. 6322 authorizing changes to the Parks and Recreation Field Allocation Fee Waiver and Partnership Funding Policy; authorize the use of Partnership Funds for one year for maintenance of sports fields on Scottsdale School District property and initiate a \$3.00 per hour fee for sports field use by non-profit youth sports organizations of City and Scottsdale School District fields under City management.

Related Policies, References:

- Resolution No. 4646, November 1996, adopting a Parks and Recreation Division field allocation fee waiver and partnership funding policy.
- Field Allocation Fee Waiver and Partnership Funding Policy, November 1996.
- Youth Sports Task Force Report, January 2003.

Staff Contact(s): Judy Weiss, Parks, Recreation and Facilities Manager, 480-312-2416, jweiss@scottsdaleAZ.gov; Debra Baird, Parks, Recreation and Facilities Director, 480-312-2480, dbaird@scottsdaleAZ.gov; Bill Exham, Community Services General Manager, 480-312-2304, bexham@scottsdaleAZ.gov

6. Adopt Resolution No. 6307, authorizing Agreement No. 2003-111-COS, an annual financial participation agreement between the City of Scottsdale and the Scottsdale Cultural Council for FY 2003/04, in the amount of \$2,780,596. – OK - C

Request: This action will authorize general fund budget support for the Scottsdale Cultural Council for FY 2003-04, allowing Cultural Council staff to continue to administer arts and cultural programs and events for the City, according to the terms of the Management Services Agreement.

Staff Contact(s): William Exham, General Manager, Community Service Department, 480-312-2377, bexham@scottsdaleaz.gov

7. Adoption of the Community Services Department Fees and Charges Resolution – OK - C

Request: Adopt Resolution No. 6314 authorizing changes to the Community Services Department Guidelines for Programming Fees, and Facility Reservations and Use Costs; which establishes the program purpose and terms, provides guidelines for charge classifications and equipment use, sets fees, outlines activity formulas, and identifies related inventory.

Related Policies, References: Scottsdale Revised Code Chapter 20; Ordinance No. 2022

Staff Contact(s): Bill Exham, Community Services General Manager, 480-312-2304, bexham@scottsdaleAZ.gov

8. Engineering Services Contract with Entellus, Inc., for design of the Pima Road alignment near Ironwood Village – OK - C

Request: Authorize Engineering Services Contract No. 2003-114-COS with Entellus, Inc. in the amount of \$272,995.72 for the Design Concept Report (DCR) for Pima Road Improvements (Pima Freeway to Hualapai Drive), East Union Hills Interceptor Channel Project and the Pima Road Drainage System Project. This contract will include the option to perform two additional DCRs for additional alignment alternatives for the Pima Road Project (if required) and to complete final design for the roadway and drainage projects.

Related Policies, References:

- a. Scottsdale Foothills General Plan, 1984
- b. Bond 2000 CIP
- c. City of Scottsdale General Plan, 2002
- d. Proposed Master Streets Plan, 2003

Staff Contact(s): Robert M. Johnson, CIP Coordination Manager, (480)-312-7054, rmjohnson@ci.scottsdale.az.us

9. Engineering Services Contract for the Neighborhood Stormwater Improvements Program – OK - C

Request: Authorize Contract Modification to Engineering Services Contract No. 2000-165-COS, with Engineering and Environmental Consultants, Incorporated (EEC) in an amount not to exceed \$80,000.00, for the Neighborhood Stormwater Improvements Program.

Related Policies, References: City Procurement Code; 4/16/2001 Contract No. 2000-165-COS

Staff Contact(s): David Meinhart, Contract Administrator, dmeinhart@ci.scottsdale.az.us, (480) 312-7010

10. Engineering Services Contract for the Via Linda Intelligent Transportation System (ITS) fiber optic system – OK - C

Request: Consider approval of Engineering Services Contract No. 2003-031-COS with Olsson & Associates, in the amount of \$86,064.50, for the design of ITS fiber optic cable and conduit to be installed along Via Linda Road connecting from the Loop 101 Freeway ITS system at the Camelback Walk to the Police Headquarters building located at Via Linda and 90th Street.

Related Policies, References:

City Code, Chapter 17-21: Cooperate with other City officials in the development of ways and means to improve traffic conditions.

Staff Contact(s): Annette Grove, Sr. Project Manager, 480-312-2399, Agrove@ci.scottsdale.az.us; Bruce Dressel, ITS Project Manager, 480-312-2358, Bdressel@ci.scottsdale.az.us

11. Engineering Services Contract for Pavement Condition Analysis and Rating – OK - C

Request: Authorize Engineering Services Contract No. 2003-103-COS with Infrastructure Management Services Inc. (IMS-Terracon) in the total amount of \$228,022.50 (a multi-year contract) for pavement condition analysis and rating of City public streets.

Related Policies, References: City Council Goal C: Provide for the safe, efficient and affordable movement of people and goods.

Staff Contact(s): Rod Ramos, Field Services Manager, rros@scottsdaleaz.gov, (480) 312-5641, Alex McLaren, Construction and Design Director, amclaren@ci.scottsdale.az.us (480) 312-7099

12. Construction Bid Award for La Mirada Desert Park – OK - C

Request: Authorize Construction Bid Award No. 03PB099 (consisting of the Base Bid plus Bid Alternate 1) to Archon, Inc, the lowest responsive bidder, at their lump sum bid of \$411,000.00 for construction of the final phase of La Mirada Desert Park located just east of the La Mirada Commercial Center at the northeast corner of Pinnacle Peak and Pima Roads.

Related Policies, References:

- * Council authorization of Architectural Services Contract No. 2000-147-COS for La Mirada Desert Park.
- * Design Development Review, Case # 7-UP-1998#2
- * Approval of Municipal Use Master Site Plan by the City Council on 08/21/01
- * Reciprocal Parking and Access Easement Agreement No. 2002-134-COS.

Staff Contact(s): Marek Urbanek, CPM Project Manager, (480) 312-2563, murbanek@scottsdaleaz.gov; Gary Meyer, Parks/Trails Planning Manager, (480) 312-2357, gmeyer@scottsdaleaz.gov

13. Scottsdale's Convention and Tourism Destination Marketing Program – OK - C

Request: As recommended unanimously by the Tourism Development Commission at their May 20, 2003 meeting, adopt Resolution No. 6323 authorizing Bed Tax funds in the amount of \$5,025,000 for destination marketing services and to approve Contract No. 2003-100-COS, the "Marketing Services Agreement Between the City of Scottsdale and the Scottsdale Convention and Visitors Bureau, Inc." for provision of these services.

Related Policies, References: City of Scottsdale Ordinances Nos. 2045 and 2049 (as amended) provide for funding of a destination marketing program on behalf of the City and the Scottsdale Tourism Industry from the City's bed tax revenues.

Staff Contact(s): Kathy Carlisle O'Connor, Tourism Development Manager, 480-312-7057, kcoconnor@ScottsdaleAZ.gov

Regular Agenda begins on the following page

- 14. Engineering services contract for the design and preparation of construction plans for the Hidden Hills Access Area (Trailhead) Amenities – OK w/CHANGES – 7/0**
Request: Authorize Engineering Services Contract No. 2003-099-COS, with Dibble & Associates in the amount of \$77,900.00 to design and prepare construction plans for the Hidden Hills Access Area (Trailhead). Approval of the requested action will create the first access area to serve the Preserve.
Related Policies, References: This action directly supports City Council Broad Goal B: Preserve the Character and Environment of Scottsdale, and sub-goals under Goal B: Create access into the Preserve, and Create learning opportunities in the Preserve.
Staff Contact(s): Bill Peifer, Sr. Project Manager, 480-312-2399, bpeifer@scottsdaleaz.gov; Robert Cafarella, AICP, Director, 480-312-2577 rcafarella@scottsdaleaz.gov; Gary Meyer, Parks/Trail Planner, 480-312-2357, gmeyer@scottsdaleaz.gov
- 15. Adoption of the FY 2003/04 property tax levy and rate – OK – 7/0**
Request: Adopt Ordinance #3512 setting the FY 2003/04 property tax levy and rate in accordance with Arizona Revised Statutes and the City Charter.
Staff Contact(s): Craig Clifford, General Manager, (480) 312-2364, cclifford@ScottsdaleAZ.gov
Art Rullo, Budget Director, (480) 312-2435, arullo@ScottsdaleAZ.gov
- 16. Adoption of 2003/04 tax levy on streetlighting districts. – OK – 7/0**
Request: Adopt Ordinance No. 3514 levying upon the assessable property within each streetlighting district in Scottsdale an amount sufficient enough to provide funds to operate the districts for fiscal year 2003/2004.
Staff Contact(s): Craig Clifford, Chief Financial Officer, (480) 312-2364, cclifford@scottsdaleaz.gov

Public Comment – ROBERTA (BOBBIE) PATTERSON – STATED THAT THERE IS A NON-CONFORMING SIGN ON THE LOS ARCOS PROPERTY AND QUESTIONED WHY CODE ENFORCEMENT ISN'T DOING SOMETHING ABOUT IT; DARLENE PETERSON – REMINDED COUNCIL THAT THE PARK BENCHES BEING INSTALLED SHOULD HAVE BACKS ON THEM.

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REGULAR AGENDA

Monday, June 16, 2003
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City Manager's Report - NONE

Mayor and Council Items

COUNCILMAN LITTLEFIELD – PROPOSED HAVING A WORKSTUDY NEXT MONDAY EVENING TO CONSIDER THE ELLMAN AGREEMENT.

COUNCILWOMAN LUKAS – CONFIRMED THAT ASU IS NOT INTERESTED IN PLACING A FACILITY ON THE LOS ARCOS SITE BUT ARE INTERESTED IN A LONG TERM RELATIONSHIP WITH THE CITY.

VICE MAYOR O'HEARN – URGED THE CITY ATTORNEY TO CLARIFY THE ALLEGED CONFLICT OF INTEREST ISSUE THAT WAS BROUGHT UP BY A RESIDENT AT A PAST COUNCIL MEETING AND HAS RESURFACED SEVERAL TIMES SINCE THEN.

CITY ATTORNEY PENNARTZ CLARIFIED THAT VICE MAYOR O'HEARN DOES NOT HAVE A CONFLICT ON INTEREST REGARDING THE LOS ARCOS PROJECT. HE RECOUNTED SOME OF THE FACTS AND DETERMINED THAT "IT WAS NOT EVEN A CLOSE CALL". HE STRESSED THAT THERE IS NOT EVEN A REMOTE POSSIBILITY OF A CONFLICT OF INTEREST IN THIS MATTER.

COUNCILMAN ORTEGA STATED THAT HE HAS REQUESTED A FINANCIAL IMPACT STUDY ON THE PROPOSED LOS ARCOS PROJECT. HE FELT THE PROPOSED WORKSTUDY SESSION NEXT MONDAY IS PREMATURE.

COUNCILMAN ECTON EXPRESSED HIS OPPOSITION TO THE PROPOSED WORKSTUDY SESSION NEXT MONDAY EVENING SINCE IT WOULD NOT ALLOW CITIZEN INPUT.

AFTER FURTHER DISCUSSION BY COUNCIL, MAYOR MANROSS REQUESTED THAT THE WORKSTUDY BE SCHEDULED NEXT MONDAY EVENING TO PROVIDE INFORMATION ON THE LOS ARCOS PROJECT AND AGREEMENT TO THE PUBLIC.

Adjournment – 6:59 P.M.

Section 2.17 of the Scottsdale City Code states, "Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting." The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.